

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/18/10

----- X
:
IN RE: METHYL TERTIARY BUTYL :
ETHER ("MTBE") PRODUCTS :
LIABILITY LITIGATION :
----- :

CASE MANAGEMENT
ORDER #78

This document relates to:

: Master File No. 1:00-1898
: MDL 1358 (SAS)
: M21-88

New Jersey Dep't of Env'l Prot., et al. v. :
Atlantic Richfield Co., et al., :
Case No. 08 Civ. 00312 :
X

SHIRA A. SCHEINDLIN, U.S.D.J.:

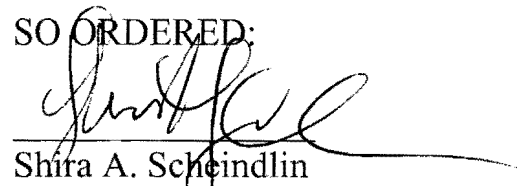
This Order memorializes the rulings made during the Conference held on October 11, 2010.

1. *Production of Affected Receptor Sites.* By November 8, 2010, plaintiffs and defendants shall identify any production well allegedly affected by each of their "release-type" discovery sites. By November 22, 2010, parties shall identify all other *known* "receptor" sites allegedly affected by their "release-type" discovery sites, including private wells.

2. *Geographic Boundaries of Discovery Sites.* Plaintiffs are directed to identify a geographic boundary for each of their eighteen (18) discovery sites on a rolling basis as they become available, with all boundaries to be identified by

November 22, 2010.

SO ORDERED:



Shira A. Scheindlin

U.S.D.J.

Dated: New York, New York
October 18, 2010

-Appearances-

Liaison Counsel for Plaintiffs:

Robin Greenwald, Esq.
Robert Gordon, Esq.
Weitz & Luxenberg, P.C.
180 Maiden Lane
New York, New York 10038
Tel: (212) 558-5500
Fax: (212) 344-5461

Liaison Counsel for Defendants:

Peter John Sacripanti, Esq.
James A. Pardo, Esq.
McDermott Will & Emery LLP
50 Rockefeller Plaza, 11th Floor
New York, New York 10020
Tel: (212) 547-5583
Fax: (212) 547-5444

Counsel for NJDEP:

Michael Axline, Esq.
Miller, Axline & Sawyer, P.C.
1050 Fulton Avenue, Suite 100
Sacramento, CA 95825-4225
(916) 488-6688

Thomas P. Gressette, Jr., Esq.
Richardson, Patrick,
Westbrook & Brickman, LLC
1037 Chuck Dawley Blvd., Building A
Mount Pleasant, SC 29464
(843) 727-6595

Scott E. Kauff, Esq.
Law Offices of John K. Dema, P.C.
11300 Rockville Pike, Suite 112
Rockville, MD 20852
(301) 881-5900

Leonard Z. Kaufmann, Esq.
Cohn Lifland Pearlman
Herrmann & Knopf, LLC
Park 80 West - Plaza One
250 Pehle Avenue, Suite 401
Saddle Brook, NJ 07663
(201) 845-9600

Counsel for ExxonMobil:

Stephen J. Riccardulli, Esq.
Michael Dillon, Esq.
McDermott Will & Emery, LLP
340 Madison Avenue
New York, NY 10173
(212) 547-5631

Counsel for Shell:

Alec C. Zacaroli, Esq.
Wallace King Domike & Reiskin
2900 K Street NW, Suite 500
Washington, DC 20007
(202) 965-6021

Counsel for El Paso Corporation:

Dawn A. Ellison, Esq.
Howrey, LLP
1299 Pennsylvania Avenue, NW
Washington, DC 20004
(202) 383-6848

Counsel for CITGO:

Pamela R. Hanebutt, Esq.
Eimer Stahl Klevorn & Solberg, LLP
224 South Michigan Ave., Suite 1100
Chicago, IL 60604
(312) 660-7625

Counsel for Kinder Morgan:

Anthony A. Orlandi, Esq.
Goodwin Procter, LLP
Exchange Place
55 State Street
Boston, MA 02109
(617) 570-1639